



State of Arizona  
Department of Education

**Tom Horne**  
Superintendent of  
Public Instruction

CN# 39-07  
USDA Memo # SP 10-2007

MEMORANDUM

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**To:** School Health & Nutrition Program Sponsors

**From:** Mary Szafranski, Deputy Associate Superintendent  
Arizona Department of Education, Health & Nutrition Services

Kacey Frey, Health Program Director  
Arizona Department of Education, School Health & Nutrition Programs

**Date:** June 14, 2007

**RE:** Internet and/or Electronic Communication in the Child Nutrition Programs (CNPs)

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*Original Signed*

This memo, as well as the attached list of frequently asked questions and responses, provides guidance regarding the electronic transfer of information within the Child Nutrition Programs (CNPs). The following programs are included: National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP), and the Summer Food Service Program (SFSP).

Two federal laws address the electronic transfer of information; the Government Paperwork Elimination Act of 1998 and the Electronic Signatures in Global and National Commerce Act of 2000. Both apply to federal agencies *not to* state agencies or Local Education Agencies (LEAs). Therefore, LEAs should review their own statutes and policies regarding the electronic transfer of information.

LEAs are encouraged to accept electronic household applications in accordance with the Child Nutrition and WIC Reauthorization Act of 2004 (Pub.L.108-265) which amended section 9(b) of the National School Lunch Act. LEAs must be able to provide legally binding electronic signatures per their state and local regulations. If an LEA is unable to provide a legally binding electronic signature, they must collect a hard copy signature of critical program documents, such as household applications. A level 2 authentication would meet program requirements for most CNP documents. Level 2 authentication is defined in question B5 of this guidance.

Please note that in addition to the Q & A's, there is also a definition section and a list of websites.

If you have questions or concerns regarding this memo, please contact your assigned School Health & Nutrition Program Specialist at 602-542-8700.

*This institution is an equal opportunity provider.*

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